

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

BARRY R. RHEUDASIL,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	NO. CIV-04-1127-HE
	)	
JO ANNE B. BARNHART,	)	
COMMISSIONER, SOCIAL	)	
SECURITY ADMINISTRATION,	)	
	)	
Defendant.	)	

**ORDER**

This case is before the Court on the Report and Recommendation of Magistrate Judge Bana Roberts. Plaintiff brought this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of the denial of his claim for supplemental security income benefits under the Social Security Act. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred to Judge Roberts for review. Judge Roberts issued her Report and Recommendation, recommending that the defendant's decision be affirmed. In particular, Judge Roberts concluded that the Administrative Law Judge ("ALJ") adequately accounted for the number and severity of plaintiff's physical impairments in formulating plaintiff's residual functional capacity ("RFC") and that the ALJ's credibility determinations were based on substantial evidence in the record. The matter is currently before the Court on plaintiff's objection to the Report and Recommendation.<sup>1</sup>

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<sup>1</sup>*Because plaintiff has objected to the Report and Recommendation, the matter is reviewed de novo. 28 U.S.C. § 636(b)(1)(C).*

Plaintiff makes no specific objections to the Report and Recommendation. Instead, he simply reurges the same arguments presented to the magistrate judge and asserts that the magistrate judge erred “by accepting the ALJ’s conclusory findings.” Having considered the matter *de novo*, the Court concurs with the magistrate judge’s conclusion that the ALJ did not err in assessing the plaintiff’s RFC or in analyzing the credibility of plaintiff’s testimony.

Accordingly, the Report and Recommendation is **ADOPTED** in its entirety and the Commissioner’s decision denying plaintiff’s claim for benefits is **AFFIRMED**.

**IT IS SO ORDERED.**

Dated this 21<sup>st</sup> day of July, 2005.



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JOE HEATON  
UNITED STATES DISTRICT JUDGE